

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DePuy Mitek, Inc.,

Plaintiff,

CIVIL ACTION
NO. 04-12457-PBS

v.

Arthrex, Inc.,

Defendant.

PRETRIAL ORDER

SARIS, D.J.

April 5, 2006

The above action has been set down for a JURY TRIAL on 9/11/06, at 9:00 AM

A FINAL PRETRIAL CONFERENCE has been scheduled for 8/9/06, at 3:00 PM.

By 7/10/06, the parties shall make pretrial disclosures as required by Fed. R. Civ. P.

26(a)(3).

Objections to the pretrial disclosures shall be served and filed by 7/24/06.

By 8/2/06, the parties shall file a joint pretrial memorandum in accordance with L.R.

16.5(d). Counsel are required to confer fifteen days before the final pretrial conference for the purpose of preparing the joint pretrial memorandum.

By 7/26/06, the parties shall file/serve proposed jury instructions, proposed voir dire questions, motions in limine, witness/exhibit lists¹, and any designations² of deposition testimony.

¹Exhibits shall be premarked with one set of exhibit numbers. There should be no duplicative exhibit numbers. For example, if plaintiff's exhibits are premarked ## 1 - 100, the defendant's exhibits should be premarked ## 101, 102, etc... Counsel shall file with the Court an original and two (2) copies of the exhibit and witness lists.

²It is helpful if designations and counter-designations are submitted on the same copy, with designations highlighted in one color and counter-designations highlighted in another.

By 9/2/06, the parties shall file/serve opposition to motions in limine, any objections to witnesses or exhibits, and counter-designations of deposition testimony.

Trial briefs shall be filed/served by 9/4/06.

By the Court,

/s/ Robert C. Alba
Deputy Clerk